REMARKS

Applicant hereby responds to the Office Action of Nov. 3, 2004, in the above-referenced patent application. Prior to this Reply, Claims 1-22 were pending in the patent application. Through this Reply, new Claim 23 has been added. A check in the amount of $50.00 is enclosed to cover the required fee under 37 CFR §1.16(i). Accordingly, Claims 1-23 are now pending in the above-referenced patent application. Claims 19 and 22 have been amended to further clarify the limitations of the claimed invention. No new matter has been added. Claims 1-22 were rejected under 25 USC 102(b) as being anticipated by USPN 5,585,838 to Lawler at al (hereinafter "Lawler").

Drawings

The Office Action objected to the drawings as failing to comply with 37 CFR 1.84(p)(5). The Applicant has herein amended the drawings to include reference characters not previously in the drawings, namely, 215 in Fig. 2, 416, 418 and 421 in Fig. 4. The Examiner contends that reference character 419 was included in the description but not in the drawings, however 419 was included in Fig. 4 to reference the control signal from the System and Schedule Manager 404 to the Output Video Formatter 408. Corrected drawing sheets are submitted herewith.

The Applicant has herein amended the specification to include reference characters not previously mentioned in the description, namely, 123, 119, 219 and 323.

The specification has herein been further amended to clarify the referencing of character 319. Previously, character 319 referenced both a decoded audio and a control signal. As amended, reference character 319 designates a decoded audio, and reference character 324 designates a control signal in Fig. 3.

The specification and drawings should now be in accordance with the Examiner's suggestions, and a withdrawal of the objection is respectfully requested. Three replacement sheets and corresponding annotated sheets for Figs. 2, 3 and 4 are enclosed (total 6 pages).

Rejection of Claims under 35 USC 102(b)

Rejection of Claims 1-22 under 25 USC 102(b) as being anticipated by Lawler is respectfully traversed because Lawler does not disclose all of the claimed limitations.

Regarding Claim 1, it is respectfully submitted that Lawler does not disclose a receiver for a digital video service network, comprising: "means for receiving a digital television signal from a transmission channel, the digital television signal including a Preview Program and Broadcasting Schedule Information, the Preview Program and the Broadcasting Schedule Information relating to a Main Program," as required by Claim 1. According to the claimed invention, the digital television signal received by the receiver includes both a Preview Program and Broadcasting Schedule Information. As such, the Broadcasting Schedule Information is delivered to the means for receiving a digital television signal simultaneously with the Preview

Program. Lawler col. 5, lines 3-36 and col. 10, lines 42-56 (relied on by the Examiner), does not

disclose that a Broadcasting Schedule Information is delivered to a receiver simultaneously with

the Preview Program. Indeed, in col. 10, lines 27-33 and lines 49-52, Lawler specifically

describes that the program information in the illustrated program summary panel 108 (Fig. 3),

which includes preview 110, is obtained upon request of the interactive station controller 18 from

the head end 12. As such, the preview 110 is not delivered to the station controller 18 along with

the information in the program time information in the grid 80. Therefore, Lawler does not

disclose said claimed limitations.

Further, Lawler does not disclose: "means for downloading the Broadcasting Schedule

Information while the Preview Program is being decoded and displayed," as required by Claim 1.

In col. 8, lines 26-30 (relied on by the Examiner), Lawler simply mentions that in generating the

program time guide, the interactive station controller 18 can receive input from the input device

22, can obtain information from the head end 12, and can utilize information stored in the

memory system 60 at the interactive station controller. Moreover, as discussed, in col. 10, lines

42-56 (relied on by the Examiner), Lawler states that the program information in the illustrated

program summary panel 108 which includes preview 110, is obtained upon request of the

interactive station controller 18 from the head end 12. Therefore, Lawler first puts the program

grid 80 together and displays it, and thereafter, upon request images for preview in the window

110 is obtained. As such, there is no disclosure in Lawler about downloading Broadcasting

Schedule Information *while* Preview Program is being decoded and displayed, as claimed. For at

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least these reasons, Applicants believe that Claim 1 is patentably distinct from Lawler. Further,

for at least these reasons all claims dependent from Claim 1 are patentably distinct from Lawler.

Regarding Claim 3, Lawler col. 6, lines 54-63 and col. 10, lines 42-56 (relied on by the

Examiner) do not disclose that: "the means for decoding the digital television signal includes a

TS demultiplexer for demultiplexing and outputting a signal representative of the Preview

Program," as required by Claim 3. As discussed, Lawler's receiver does not receive a digital

signal that includes both program broadcast information and program preview information, as

claimed (i.e., in Lawler, the program preview information is sent to the controller 18 by request,

separate from and after the program information is sent). As such, there is no component in

Lawler for demultiplexing and outputting a signal representative of the Preview Program. Nor is

there any need for such a component since any program preview information is not multiplexed,

and sent, with Broadcasting Schedule Information.

Regarding Claim 4, Lawler col. 8, lines 27-31 (relied on by the Examiner), or elsewhere,

does not disclose that: "the TS demultiplexer outputs the Broadcasting Schedule Information," as

required by Claim 4. As discussed in relation to Claim 3, there is no component in Lawler for

demultiplexing and outputting a signal representative of the Preview Program. In addition, there

is no disclosure in Lawler that the station controller 18 includes a demultiplexer that

demuliplexes the received digital signal, and outputs Broadcasting Schedule Information. Nor is

there a need for a component in Lawler since any program preview information is not multiplexed, and sent, with Broadcasting Schedule Information.

Regarding Claim 5, Lawler col. 7, lines 52-65 (relied on by the Examiner) does not disclose: "a System and Schedule Manager for controlling the means for decoding, the System Manager further directing a data stream flow of data from the digital television signal," as required by Claim 5. As described in col. 7, lines 52-65, the CPU 58 in Fig. 2 of Lawler controls the graphics subsystem 62 to form graphics images, and a video processor subsystem 63 that provides control in generating and displaying video images. Further, in contrast to the claimed invention, the CPU 58 does not control a decoder in the station controller 18. Nor does the CPU 58 direct a data stream flow of data from the digital television signal, as claimed. Rather, the CPU 58 simply controls the graphics subsystems 62 and 63 in displaying images.

Regarding Claim 7, Lawler's video processor subsystem 63 (relied on by the Examiner), provides control in generating and displaying video images. There is no disclosure in Lawler that the video processor subsystem 63 is for "decoding audio and video coded bit streams," as required by claim 7. Subsystem 63 is simply not a decoder as the Examiner interprets it. Further, there is no disclosure that subsystem 63 has anything to do with audio or decoding audio. Nor does subsystem 63 provides a function of "sending an Audio output signal for transducing into sound and a decoded video signal for processing and display," as required by

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Claim 7. As Lawler specifies, Subsystem 63 is a video processor not a decoder or an audio decoder.

Regarding Claim 8, Lawler col. 7, lines 62-65 and Figs. 7-9 (relied on by the Examiner) does not disclose a receiver that includes: "a means for generating an icon to overlay the video output of the decoded video signal during display," as required by Claim 8. The mixer 64 of Lawler does not disclose the claimed limitations. Indeed, Lawler (col. 7, lines 57-65) states: "A mixer 64 receives the programming or applications signals received from the central head end 12 or CPU 58, graphics image signals from graphics subsystem 62, and video image signals from the video processor subsystem 63 and delivers a mixed image signal to video display set 20. As used here, mixing may include compositing, blending, and masking of image sources such as digital video, analog video, locally generated graphics and various overlays and bitmap images." Despite the Examiner's interpretation, there is simply no language or disclosure in Lawler that in any way states that the mixer 64 generates an icon for overlaying the video output of the decoded video signal during display, as claimed. Any icons in Figs. 7-9, not generated by the mixer 64, not generated in the station controller 18.

Regarding Claim 10, Lawler col. 14, lines 30-48, Fig. 8 (relied on by the Examiner) does not disclose: "a Schedule Queue, the Schedule Queue receiving at least the start time of the Broadcasting Schedule Information, the start time being compared with a system clock to determine when to have control signals sent to instruct the receiver to process the Main

Program," as required by Claim 10. The Examiner admits that Lawler does not specify a

schedule queue, but goes on to assume it as inherent in Lawler in order to reject this claim.

Applicant submits that the Examiner has not met his burden in providing specific disclosure of

such teachings. Despite the Examiner's assumptions, there is no requirement that Lawler use a

"queue" for storing requests. If Claim 10 is once again rejected, Applicant respectfully requests

that the Examiner provide support for his interpretations of Lawler. Further, the "future program

options menu" mentioned by the Examiner does not disclose a schedule queue that receives and

stores the "start time of the Broadcasting Schedule Information," as claimed.

Regarding Claim 11, Lawler col. 14, lines 30-48 (relied on by the Examiner), does not

disclose "a means for notifying a viewer that the start time is approaching and requesting an

instruction as to whether the viewer desires that the Main Program be recorded or displayed," as

required by Claim 11. There is no disclosure in Lawler of a component that requests instructions

for recording or displaying a program. The Examiner has not met his burden in rejecting this

claim.

Regarding Claim 12, Lawler col. 14, lines 30-48 (relied on by the Examiner), does not

disclose that: "the means for notifying provides an instruction to record if the viewer does not

input any instruction within a predetermined time," as required by Claim 12. There is no

disclosure in Lawler of a component that requests instructions for recording or displaying a

program. There is no component in Lawler that provides an instruction to record if the viewer

does not input any instruction within a predetermined time. The Examiner has not met his burden in rejecting this claim.

Regarding Claim 13, as discussed in relation to Claim 1, Lawler does not disclose that the digital television signal received by the receiver includes both a Preview Program and Broadcasting Schedule Information, as claimed. Lawler does not disclose that a Broadcasting Schedule Information is delivered to a receiver simultaneously with the Preview Program. Accordingly, there is no disclosure, nor a any need, in Lawler of: "embedding the Broadcasting Schedule Information into the MPEG-2 signal such that the Broadcasting Schedule Information will be received by a digital television receiver while the Preview Program is being decoded by the digital television receiver," as required by Claim 13. In col. 10, lines 42-56, Lawler states that the program information in the illustrated program summary panel 108 which includes preview 110, is obtained upon request of the interactive station controller 18 from the head end 12. As such, Claim 13 and all claims dependent therefrom should be allowed.

Regarding Claim 14, as discussed above Lawler does not disclose "receiving an MPEG-2 signal which includes both the Preview Program and the Broadcasting Schedule Information," as required by Claim 14. Further, there is no disclose in Lawler col. 10, lines 27-40 or col. 14, lines 30-49 (relied on by the Examiner), of "coding a notice into the MPEG-2 signal, the notice being applied by the receiver in such a manner to inform the viewer that they are receiving an MPEG-2 signal," as required by Claim 14. The Examiner has not met his burden in showing

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where such limitations are specifically disclosed in Lawler for this 35 USC 102(b) rejection of

Claim 14 where every limitation of the claims must be shown to be disclosed in Lawler.

Regarding Claim 15, Lawler col. 10, lines 27-40 and col. 14, lines 30-49 (relied on by

the Examiner) does not disclose "the notice is an icon simultaneously displayed with the Preview

Program," as required by Claim 15. The Examiner has not met his burden in showing where

Lawler discusses an icon in the MPEG-2 signal, being applied by the receiver in such a manner

to inform the viewer that they are receiving an MPEG-2 signal which includes both the Preview

Program and the Broadcasting Schedule Information, as claimed.

Regarding Claim 16, as discussed in relation to Claims 1 and 13, Lawler does not

disclose that the digital television signal received by the receiver includes both a Preview

Program and Broadcasting Schedule Information, as claimed. Lawler does not disclose that a

Broadcasting Schedule Information is delivered to a receiver simultaneously with the Preview

Program. Accordingly, there is no disclosure, nor a any need, in Lawler of: "a Preview Program

coded within the MPEG-2 signal, the Preview Program relating to a Main Program;

Broadcasting Schedule Information embedded within the MPEG-2 signal, the Broadcasting

Schedule Information relating to the Main Program; the Broadcasting Schedule Information

being embedded into the MPEG-2 signal such that the Broadcasting Schedule Information will

be received by a digital television receiver while the Preview Program is being decoded by the

digital television receiver," as required by Claim 16. In col. 10, lines 42-56, Lawler states that

the program information in the illustrated program summary panel 108 which includes preview

110, is obtained upon request of the interactive station controller 18 from the head end 12. As

such, Claim 16 and all claims dependent therefrom should be allowed.

Regarding Claim 17, for at least the reasons discussed in relation to Claim 14, Lawler

does not disclose the limitations of Claim 17.

Regarding Claim 18, for at least the reasons discussed in relation to Claim 15, Lawler

does not disclose the limitations of Claim 18.

Regarding Claim 19, for at least the reasons discussed above in relation to Claims 1 and

13, Lawler does not disclose that the digital television signal includes both a Preview Program

and Broadcasting Schedule Information, as claimed. Lawler does not disclose that a

Broadcasting Schedule Information is delivered to a receiver simultaneously with the Preview

Program. For at least these reasons, rejection of Claim 19 and all claims dependent therefrom

should be withdrawn.

New Claim 23 is patentably distinct from the cited references for at least the reasons
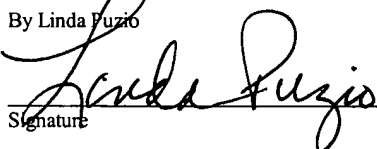
provided above.

Conclusion

For these, and other, reasons, Applicants believe that the claims are in condition for allowance. Reconsideration, re-examination, and allowance of all claims are respectfully requested.

If necessary, the Commissioner is hereby authorized to charge payment or credit or any overpayment to Deposit Account No. 01-1960 for any additional fees required in connection with this filing.

Respectfully submitted,

MYERS DAWES ANDRAS & SHERMAN, LLP

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
February 3, 2005.

By Linda Puzio

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Signature

February 3, 2005

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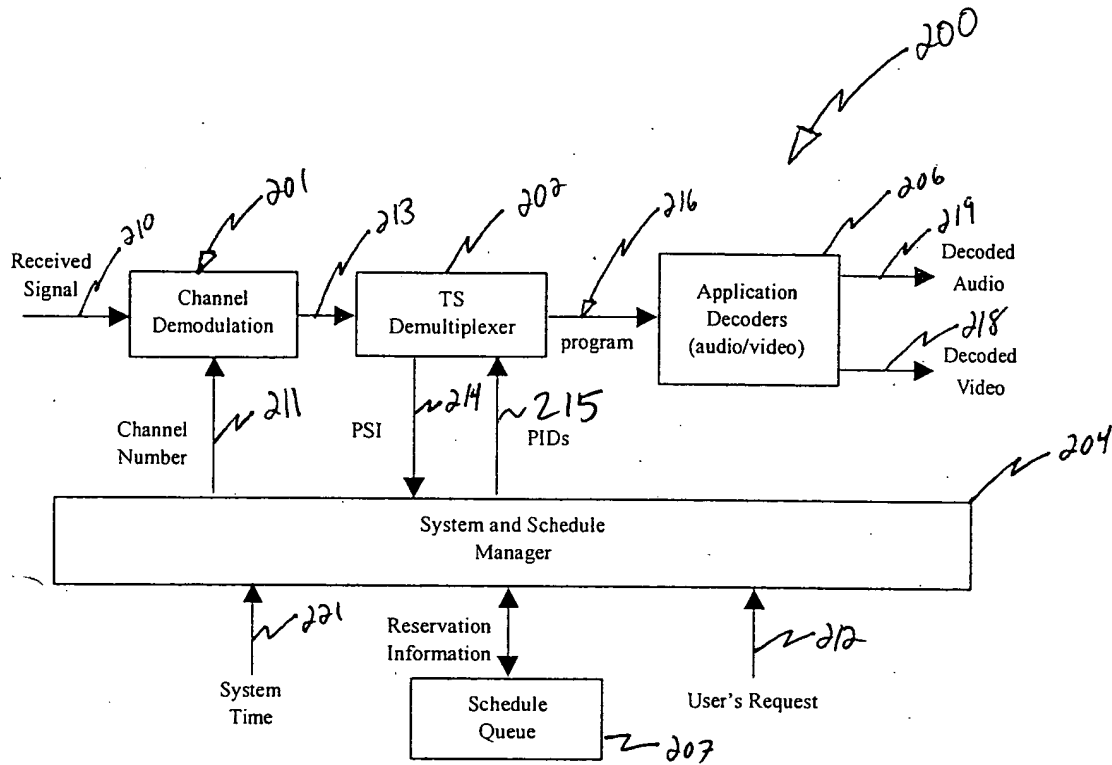(949) 223-9600

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Annotated Sheet

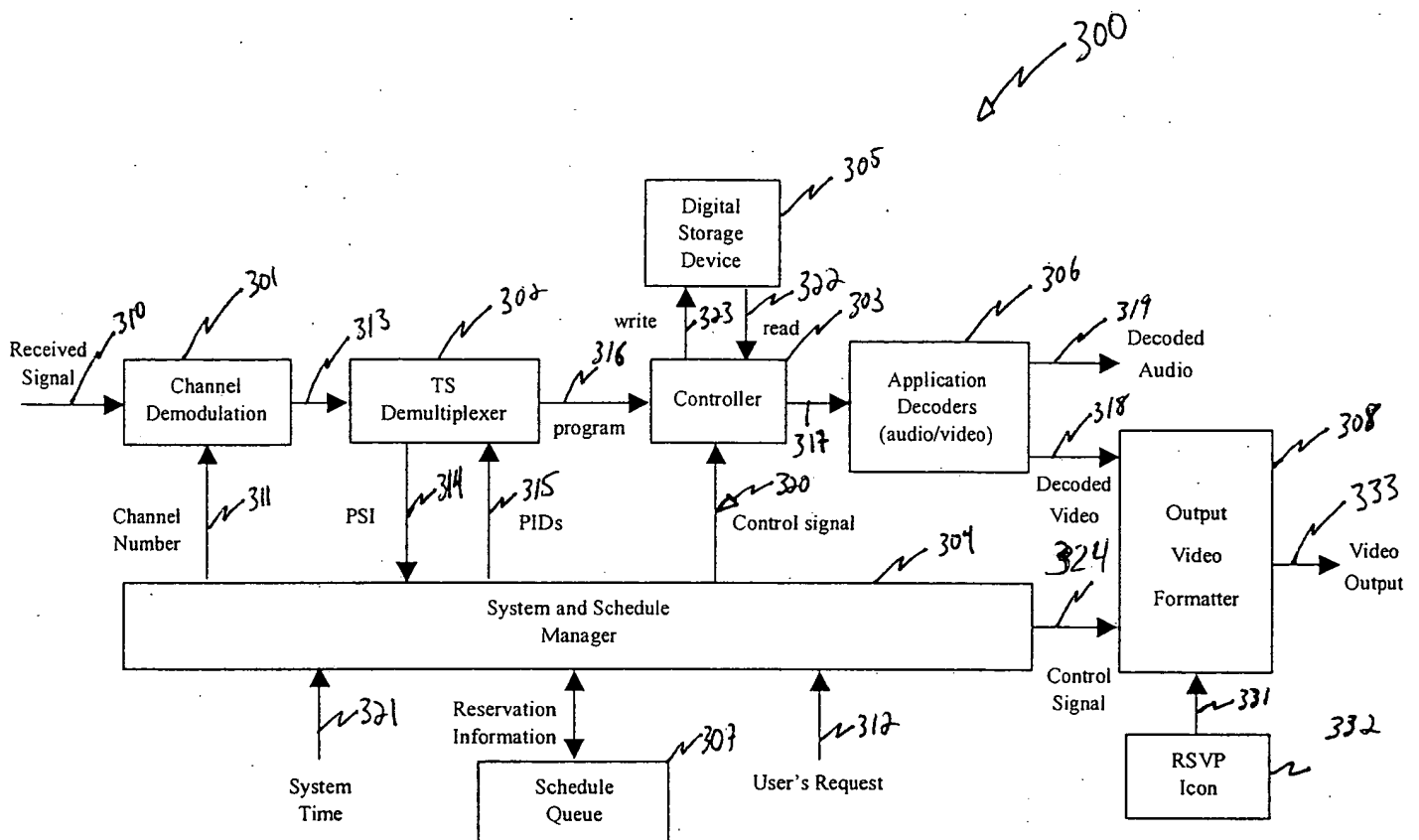Figure 2.   A Second Functional Block Diagram of the ADTVR.

Annotated Sheet

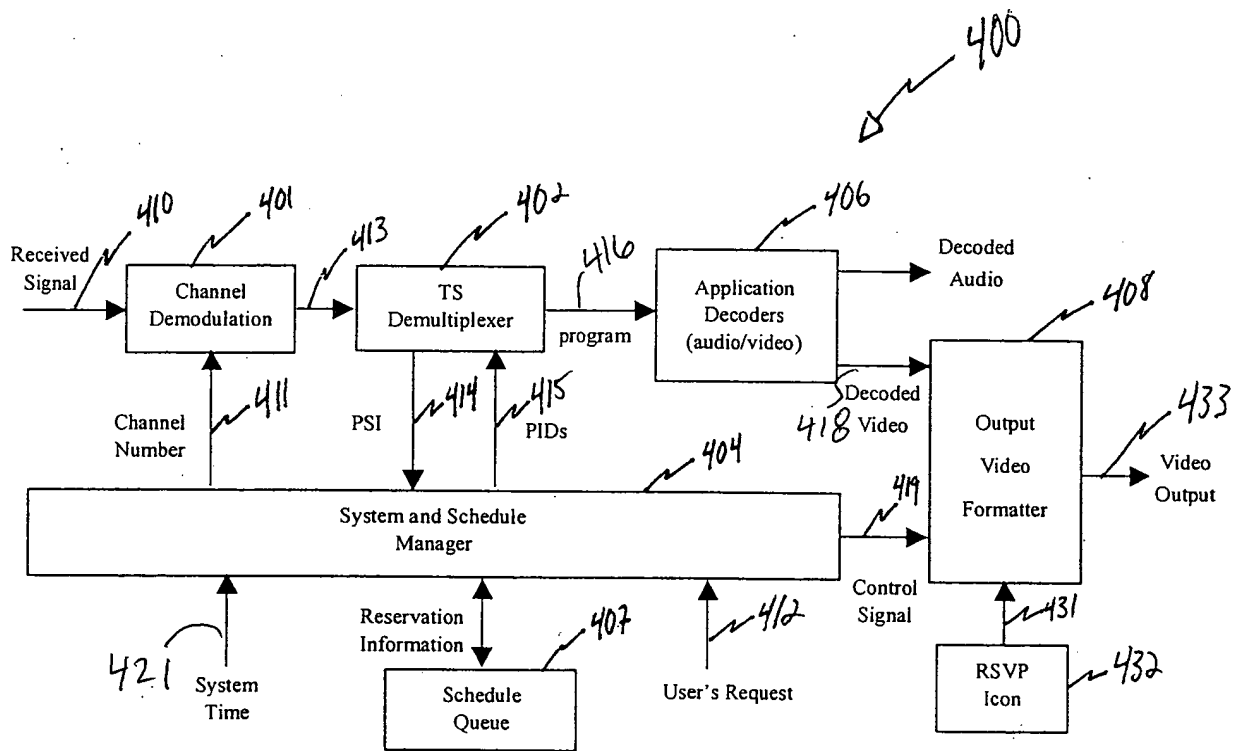Figure 3. Third Functional Block Diagram of the ADTVR.

Annotated Sheet

Figure 4.   Fourth Functional Block Diagram of the ADTVR.